



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/779,532 | 02/13/2004 | Jeremy Green | VPI/99-109 DIV US | 5593 |
| 27916 | 7590 | 08/10/2006 | | |
| | | | EXAMINER | |
| | | | RAO, DEEPAK R | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1624 | |

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

| | | | |
|--|---------------------------|---|--|
| APPLICATION NO. /CONTROL NO. 10/779,532 | FILING DATE 02/13/2004 | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION Green, Jeremy | ATTORNEY DOCKET NO. VPI/99-109 DIV US |
|--|---------------------------|---|--|

EXAMINER

Rao, Deepak R

| | |
|----------|-------|
| ART UNIT | PAPER |
|----------|-------|

1624

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 (e), i.e., a copy of the sequence listing in Computer Readable Form (CRF) has not been submitted with the response on May 26, 2006. (See attached notice to comply).

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deepak Rao whose telephone number is (571) 272-0672. The examiner can normally be reached on Tuesday-Friday from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James O. Wilson, Acting-SPE of 1624, can be reached at (571) 272-0661. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist

whose telephone number is (571) 272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Deepak Rao
Primary Examiner
Art Unit 1624

August 3, 2006

| | | | | | | |
|---|---|---|---------------------------|--------------|------------------------------------|--------------|
| Notice to Comply | Application No. 10/779,532 | Applicant(s) GREEN, JEREMY | | | | |
| | Examiner RAO, DEEPAK | Art Unit 1624 | | | | |
| NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES | | | | | | |
| <p>Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).</p> <p>The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):</p> | | | | | | |
| <p><input checked="" type="checkbox"/> 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).</p> <p><input type="checkbox"/> 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).</p> <p><input checked="" type="checkbox"/> 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).</p> <p><input type="checkbox"/> 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."</p> <p><input type="checkbox"/> 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).</p> <p><input type="checkbox"/> 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e). The correct SEQ ID NO:2 is present in the paper copy of the sequence listing only. Therefore a search of the correct sequence is not possible.</p> <p><input type="checkbox"/> 7. Other:</p> | | | | | | |
| <p>Applicant Must Provide:</p> <p><input checked="" type="checkbox"/> An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".</p> <p><input type="checkbox"/> An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.</p> <p><input type="checkbox"/> A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).</p> | | | | | | |
| <p>For questions regarding compliance to these requirements, please contact:</p> <p>For Rules Interpretation, call (703) 308-4216 or (703) 308-2923</p> <p>For CRF Submission Help, call (703) 308-4212 or 308-2923</p> <p>PatentIn Software Program Support</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 2px;">Technical Assistance.....</td> <td style="width: 60%; padding: 2px;">703-287-0200</td> </tr> <tr> <td style="width: 40%; padding: 2px;">To Purchase PatentIn Software.....</td> <td style="width: 60%; padding: 2px;">703-306-2600</td> </tr> </table> <p>PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY</p> | | | Technical Assistance..... | 703-287-0200 | To Purchase PatentIn Software..... | 703-306-2600 |
| Technical Assistance..... | 703-287-0200 | | | | | |
| To Purchase PatentIn Software..... | 703-306-2600 | | | | | |